

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 5TH DAY OF JUNE 1998

B E F O R E

THE HON'BLE MR. JUSTICE CHANDRASHEKARAIHAH

WRIT PETITION NO.32788/1995

A N D

WRIT PETITION NO.32802/1995

IN W.P.No.32788/95:

BETWEEN:

Baldwin Girls High School,  
Richmond Road, Bangalore,  
by Principal - Smt.Leila Thomas. ... Petitioner.

(By Sri.Mohandas N. Hegde for Petr.)

AND:

1. Bangalore City Corprn.,  
Corprn. Buildings,  
Bangalore - 2,  
by Commissioner.

2. Asst. Executive Engineer,  
Shantinagar Sub-Divn.,  
Mayo Hall, Bangalore. ... Respondents.

(By Sri.Ashok Haranahalli for Respdts.)

This Writ Petition filed under Article 226 of  
the Constitution of India with an affidavit praying

... 2/-

to: Direct the respondents to consider petitioner's representation dated 17-8-95 before taking any action against the petitioner and to pass suitable orders and etc.

IN W.P.No.32802/95:

BETWEEN:

1. Smt.R.Rajalakshmi,  
aged about 37 years,  
W/o Sri.Ramakrishna Setty,  
R/o Door No.6/6, East Circle  
Road, V.V.Puram,  
Bangalore - 4.
2. Sri.D.V.Sahadeviah Setty,  
aged about 48 years,  
S/o Sri.D.Honnappa Setty,  
R/o D.No.381, S.B.Road,  
V.V.Puram, Bangalore - 4.
3. Smt.M.S.Surya Prabha,  
aged about 39 years,  
W/o Sri.M.J.Badrinath,  
R/o No.163, I Stage,  
Indiranagar, Bangalore - 38. ... Petitioners.

(By M/s.Vagdevi Associates for Petr.)

AND:

1. The Bangalore City Corprn.,  
Mahanagara Palike, Bangalore-2,  
by its Commissioner.
2. The Asst. Executive Engineer,  
Bangalore City Corprn.,  
Hombegowdanagar Sub-Divn.,  
Bangalore.

... Respondents.

... 3/-

(By Sri.B.V.Muralidhar & Sri.H.J.Sundar Kumar  
for Respdts.)

This Writ Petition filed under Article 226 of the Constitution of India with an affidavit praying to: Quash Annexure 'A' as illegal and restrain the respondents from in any way demolishing the respondents from in any way demolishing the property of the petitioners in No.57/1, R.V.Road, R.V.Complex, Bangalore and etc.

These Writ Petitions coming on for final disposal this day, the Court made the following:

O R D E R

W.P.S 32788 & 32802/1995

The Corporation has issued a provisional order as per Annexure-A. Immediately thereafter the petitioners have filed these petitions apprehending that the authority may take action to demolish the building without considering the objections, as per Annexure-B. Since the petitioner has already filed objections to the notice issued under Annexure-A, the Corporation is required to consider the said objections before passing any order.

In the result, I pass the following order:

Writ petition is allowed. A direction is

... 4/-

issued to the Corporation to consider the objections filed by the petitioner as per Annexure-B and pass appropriate order. Till then the Corporation shall not take any steps to demolish the building of the petitioner.

Sd/- Judge.

bsr(o.s.)

r.by: 20/8/98

c.by: V.

**COPY**

Assistant Registrar  
High Court of Karnataka  
Bangalore-560 001

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